

MINUTES OF THE ATTICA TOWNSHIP BOARD

Held on February 14th, 2013
Nancy Herpolsheimer, Clerk

At a meeting of the Attica Township Board held on February 14th, 2013, at the Attica Township Hall, 4350 Peppermill Road, Attica, Michigan. The meeting was called to order at 7 p.m. by Supervisor Ochadleus. PRESENT: Supervisor Al Ochadleus, Clerk Nancy Herpolsheimer, Treasurer Pam Mason, Trustee Phil Madeline and Trustee Richard Lacey. ABSENT: None. ALSO PRESENT: Attorney Gildner and the public per the Sign-In Sheet attached.

ELECTION INVESTIGATION REPORTS:

Attorney Mike Gildner presented the report prepared by contracted third party Attorney Charles Forrest and his own report on the letter from the State Bureau of Elections regarding election issues.

Attorney Gildner distributed Attorney Forrest's December 19th, 2013 report and February 7th, 2013 final report to the board. Attorney Gildner reviewed the findings, pointing out that no improprieties were found in the investigation or by the State of Michigan Bureau of Elections. Furthermore Sally Williams of the Bureau of Elections stated that the township is well-versed in the proper administration of elections. Attorney Gildner also distributed the County of Lapeer official results of the November 6th general election highlighting that Attica Township's percentage of straight party ticket voters was well below the average of straight party ticket voters in the county. In conclusion Attorney Gildner stated that the election was fully investigated and the case is closed. At this point David Daws of 4496 Payne Rd., interjected that he did not want Attorney Gildner to leave the meeting because he wanted him to hear what he had to say during public time. Attorney Gildner left for a meeting in another community at this point.

REVIEW MINUTES:

The minutes of the January 10th, 2013 regular Board meeting were reviewed by the Board; and there being no additions, corrections or deletions;

MOTION by Lacey, seconded by Madeline to approve the January 10th, 2013. Attica Township regular Board meeting minutes as presented. A vote was taken. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

CORRESPONDENCE: None.

TREASURER'S REPORT: Treasurer Mason gave the following Treasurer's Report: General Fund Beginning Balance of \$305,120.54, receipts of \$171,868.64; Interest of \$34.17; Distributions of \$32,212.32 for a New Balance of \$444,811.03. General Fund CDARS Savings account has a Balance of \$200,015.36; Public Safety has \$101,124.73; Public Safety CDARS Savings account has \$50,028.84; Fire Millage has \$82,397.22; Fire Millage CDARS Savings account has \$50,028.84; Fire Escrow has \$27,352.56; Fire Escrow CDARS Savings account has \$50,028.84 and there is \$9,959.26 in the Lake George Road Special Assessment account.

MOTION by Lacey, seconded by Madeline to approve

the Treasurer's Report as presented. A vote was taken. Ayes:
All; Nays: None. Absent: None **MOTION CARRIED.**

POLICE REPORT: Deputy Nick Vandenberg gave the following police report: there were 153 calls in the month of January with 79 of the calls handled by the Township deputies. Deputy Vandenberg advised residents that there have been several B&E's of vacant homes in the area and urged residents to call central dispatch if they see anything suspicious.

PUBLIC TIME:

a) Resident Charles Archibald, of 4496 Payne Rd. stated he was discouraged because the State Bureau of Elections only spoke with witnesses from one side. Mr. Archibald stated that he is taking up his concerns regarding the November general election with other agencies.

b) David Daws, of 4496 Payne Rd., stated that during the November general election the tabulator was unplugged, ballots were put in a can, he was escorted from the township hall, his replacement was shoved in another room and that Attica Township election officials are liars.

c) Resident, Nate Parker, of 821 Lk. Pleasant Rd, stated that at the November general election he placed his ballot in what appeared to be a trash can and felt that his vote didn't count. He went on to state that he voted for Supervisor Ochadleus but he felt like trash because he felt his ballot was placed in a trash can.

PUBLIC HEARING: Recreation Plan

Supervisor Ochadleus opened the Public Hearing at 7:15 p.m. to receive comments on the draft 2013-2018 Attica Township Recreation Plan. Planner Dave Birchler distributed the most recent draft of the recreation plan to the board. Planner Birchler went on to review the process of creating the updated recreation plan and stated that close to 300 residents have had input in creating the plan. Planner Birchler discussed the procedures and strategies for applying for matching grants for the park.

Resident Charles Archibald, of 4496 Payne Rd. stated that he thought the recreation plan was great and applauded the board.

Resident Nate Parker, of 821 Lk. Pleasant Rd., asked where the additional property the township purchased is located.

Resident Diane Malczewski, of 5552 Belle River Rd., asked if there was a step by step process for writing the grant. Planner Birchler explained the point system that is used to evaluate grants.

County Commissioner Linda Jarvis, of 26511 Newark Rd., stated that Attica Township has always done everything with the best interest of the township in mind and is always one step ahead. Commissioner Jarvis went on to state the Attica community works together and that she is very proud of Attica Township.

There being no further comments or questions:

MOTION by Lacey, seconded by Mason to close the Public Hearing at 7:38 p.m. A vote was taken. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

OLD BUSINESS:

1. Recommendation from Lake Pleasant SAD Committee:

Supervisor Ochadleus stated that the Lake Pleasant SAD committee recommends the hiring of Lake Pro, Inc. as Lake Manager to eradicate and control the nuisance plants in Lake Pleasant. Supervisor Ochadleus went on to review the Lake Pro, Inc. contract and recommended the Attica Township Board accept the contract with Lake Pro, Inc.

MOTION by Mason, seconded by Madeline to accept the attached contract with Lake Pro, Inc. for aquatic weed control of Lake Pleasant as recommended by the Lake Pleasant Special Assessment District (SAD) Committee. A roll call vote was taken. Madeline: Aye; Ochadleus: Aye; Herpolsheimer: Aye; Lacey: Aye and Mason: Aye. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

NEW BUSINESS:

1. Supervisor Report on Reduction in Taxable Values for 2013

Supervisor Ochadleus advised the board that there is a 6.8% reduction of taxable values on residential property in Attica Township for 2013 which translates into less revenue for the township. Supervisor Ochadleus commended the board for looking forward during the downturn in the economy. The township is financially secure because the board looked to the future.

2. Attica Poverty Exemption/Asset Test 2013:

Supervisor Ochadleus reviewed the newly created Attica Township Resolution for Poverty Exemption and Asset Test.

MOTION by Lacey, seconded by Madeline to approve the Attica Township Resolution for Poverty Exemption and Asset Test 2013. A roll call vote was taken. Mason: Aye; Lacey: Aye; Herpolsheimer: Aye; Ochadleus: Aye and Madeline: Aye. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

3. Resolution to accept BOR Protests by Mail:

MOTION by Mason, seconded by Madeline to approve the attached resolution to allow local residents to protest to the Board of Review (BOR) in writing. A vote was taken. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

4. Supervisor Report on Soil and Sedimentation Seminar:

Supervisor Ochadleus reviewed the information he received at the Lapeer County Soil and Sedimentation Seminar he attended with Trustee Madeline. There was discussion with County Commissioner Jarvis.

5. Attica Days Report:

Supervisor Ochadleus reviewed the plans and schedule for Attica Days. Supervisor Ochadleus stated that the majority of the funds needed for the event will come from the sale of raffle tickets and added that the township auditor has communicated that it is acceptable to use township funds if necessary.

6. Appoint the Board of Review:

MOTION by Herpolsheimer, seconded by Mason to appoint the following to the Attica Township Board of Review: William J. Winslow, Nancy Szerlag, Glenn (Bud) Fackler, Jr., Maureen Lemons and William M. Winslow. A roll call vote was taken. Mason: Aye; Ochadleus: Aye; Madeline: Aye; Lacey: Aye and Herpolsheimer: Aye. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

7. Accept the Attica Township Recreation Plan:

MOTION by Madeline, seconded by Herpolsheimer to adopt the updated 2013-2018 Attica Township Recreation Plan. A roll call vote was taken. Herpolsheimer: Aye; Lacey: Aye; Madeline: Aye; Mason: Aye and Ochadleus: Aye. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

COMMITTEE REPORTS:

1. FIRE: Fire Chief Chris Warford reported:
 - a) The Fire Department has gone on 13 runs since the last meeting. Most runs were weather related.
 - b) All of the Attica fire fighters are now certified in ice rescue.
 - c) The annual spaghetti dinner will be held April 20th at the fire hall.
2. PARK: Park Manager Madeline reported that the park is closed but people are still using the track, he advised that persons using the track should be careful of ice as the track is not cleared of snow or ice.
3. PLANNING COMMISSION: None.
4. ATTORNEY REPORT: None
5. AMBULANCE: Supervisor Ochadleus stated that the Lapeer County EMS ended their fiscal year with over \$1,000,000.00 in fund balance.
6. CEMETERY: None
7. COMMISSIONER REPORT: Commissioner Jarvis reported:
 - a) Soil and Sedimentation has been taken over by the state.
 - b) The Wolverine Exhibit will be at the court house beginning February 16th at the Lapeer Historical Court House.

- c) Walk for Warmth will be February 23rd.
- d) Discussed the mental health offices at the old Maple Grove School.

8. Board:

- a) Supervisor Ochadleus stated that the security cameras in the township hall and outside of the hall have been installed.
- b) Supervisor Ochadleus advised the public that there are new tax guidelines regarding property tax credit for persons 65 and older.

9. Public Time:

a) Resident Charles Archibald, of 4496 Payne Rd., thanked the board for holding Attica Days. Mr. Archibald stated that he has identified several hundred voters that used an unsecured ballot can at the November 6th general election. Mr. Archibald suggested the township board meet with these voters. Mr. Archibald went on to state that the truth will come out because several hundred voters are going to be spoken with.

b) Supervisor Ochadleus responded that the case is now closed after the contracted, third party attorney and the state Bureau of Elections found no wrong doing at the November 6th election. Supervisor Ochadleus went on to state that it is disconcerting that Mr. Archibald is accusing Clerk Herpolsheimer of lying.

c) David Daws, of 4496 Payne Rd., stated that election officials lied and the lies were recorded. At this point Election Chairperson Maureen Lemons, brought out the container that was used to place ballots in while waiting for maintenance on the tabulator. This container was certified by the Lapeer County Board of Canvassers, ballots were held there according to election laws.

d) Resident, Nate Parker, of 821 Lk. Pleasant Rd, stated that it needs to be figured out what is right and wrong regarding the November 6th general election.

e) County Commissioner Linda Jarvis, of 26511 Newark Rd., stated that it is her personal experience that Clerk Herpolsheimer is well trained in running an election. Commissioner Jarvis went on to state that there were tabulator problems throughout the state because of the large turnout at the election. The election workers have been cleared of any wrong doing.

f) Resident, Diane Gladden, of 711 Sunset, stated that she had a great voting experience at the November 6th general election and went on to state that the same complaints have been brought up at every meeting in the last few months and the election workers have been cleared of any wrong doing.

REVIEWING AND PAYING BILLS:

The bills were reviewed by the Board for the General Fund for the amount of \$49,837.17 (check #14599 through check #14663): Public Safety for the amount of \$14,046.69 (check #1157 through check #1158) and for the Fire Fund for the amount of \$15,085.86 (check #2717 through check #2854) for a total of \$78,969.72. There being no further questions:

MOTION by Lacey, seconded by Madeline to approve the bills as presented. A roll call vote was taken. Mason: Aye;

Madeline: Aye; Lacey: Aye; Ochadleus: Aye and Herpolsheimer: Aye. Ayes: All. Nays: None. Absent: None.
MOTION CARRIED.

There being no further business before the Board, **MOTION** by Lacey seconded by Mason to adjourn the meeting at 8:34 p.m. A vote was taken. Ayes: All. Nays: None. Absent: One (Mason). **MOTION CARRIED.**

Submitted by:

Respectfully Submitted By:

Valerie Schultz, Recording Secretary

Nancy Herpolsheimer, Clerk

